



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D.M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2305347
Applicant Name: Terry Beals for Central Puget Sound Regional Transit Authority (“Sound Transit”)
Address of Proposal: 1618 8th Avenue

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish the use as a temporary staging area (Pine Center Staging Area) for future construction of a light rail transit facility. An existing 4-story building will be used as an administrative office use (construction management activities). The project includes the installation of two temporary construction trailers and grading of approximately 2,550 cubic yards (1,275 cut, and 1,275 fill). Accessory parking will be provided within an existing below grade garage structure and at surface level. Environmental Impact Statement (EIS) was prepared by Sound Transit (issued November 1999).

The following approvals are required:

Temporary Use Permit - Seattle Municipal Code (SMC) Section 23.42.040.

SEPA - for conditioning only – Seattle Municipal Code (SMC) Chapter 25.05.

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☒ EIS*
☐ DNS with conditions
☐ DNS involving non-exempt grading, or demolition or another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The development site combines two parcels of land, totaling approximately 27,840 square feet located near the northeast edge of Downtown Seattle. The site commonly referred to as “Pine Center Staging Area,” is located one half block from the northern most portion of the Downtown Seattle Transit Tunnel. The site is rectangular in shape (approximately 120 feet X 232 feet) and

* Final Environmental Impact Statement issued by Central Puget Sound Regional Transit Authority in November 1999. An addendum was issued November 16, 2001.

is bounded by 8th Avenue (one way northbound street) to the West, an improved alley (running parallel to 8th Avenue) to the east, and Pine Street (one way westbound street) to the South. The development site is fully developed with a surface parking lot on the site's south end and a 4-story apartment (Cabana) building with surface and underground parking located on the north half. The site slopes moderately downward 12 feet from its southeast street corner to its northwest corner. The site is fully paved with vehicle access entrances from 8th Avenue and the alley.

The Pine Center Staging Area development site is located in a Downtown Office Core 2 zone with a 300 foot height limit (DOC2-300). Zoning in the vicinity includes; Downtown Office Core 2 zone with a 240 foot height limit (DOC2-240) to the east across the center line of Boren Avenue, to the west across the center line of 6th Avenue is Downtown Residential Commercial with an 85 foot and 150 foot height limit (DRC-85/150), and due south across Pike Street Downtown Office Core 1 zone with a 450 foot height limit (DOC2-450). The area zones are all located within the Denny Triangle Urban Center Village. Commercial development adjacent to the development site includes surface parking lots, residential apartment, hotels, and office uses. Directly across the alley to the east of the subject site, the former Camlin Hotel (1619 8th Avenue) a historic landmark building, is currently undergoing renovations to accommodate the needs of the new owner, Trendwest Resorts Incorporated. The cylinder shaped Tower 801 Apartments (801 Pine Street) building is located due south of the development site. Due east of 801 Tower, across an alley, a two-story mixed-use building is located. Pande-Cameron (1529 9th Avenue), occupies the retail establishment at the lower level with residential use above. Across the street to the west of the subject site anchoring commercial development along the 8th Avenue block front is The Paramount Hotel (724 Pine Street).

Other development in the vicinity consists of a mix of hotels, retail, high-rise apartments, office buildings, and surface parking lots in this area of the Denny Triangle Urban Center Village. Paramount Theater, another historic Landmark building is located at the southeast corner of Pine Street and 9th Avenue. The streets surrounding the development site are fully improved and active with both vehicle and pedestrian traffic in this Downtown core fringe neighborhood.

Project Description

The subject proposal is an element of Sound Transit's Central Link light rail C510/C530 segment located along Pine Street between 8th and 9th Avenue. The construction staging area will be used for the duration of construction of the C510/C530 segment, which is projected to extend approximately two and one half years. The staging area will support activity surrounding retrofitting the existing Downtown Seattle Transit Tunnel to accommodate light-rail, as well as, buses, and the construction of 715 feet-long reinforced concrete structure or Stub Tunnel within the Pine Street rights-of-way. The applicant has proposed to use the north half (Plated Lots 3 and 4) of the site for construction management activities and accessory contractor parking. The existing 4-story Cabana building will be used by Sound Transit and contractor personnel to coordinate construction activity. In addition, a temporary storage trailer (10' X 50') will be installed just south of the Cabana building, approximately 2 feet from the west property boundary line. The applicant proposes surface parking stalls for 14 vehicles and parking below grade within an existing structure.

The south half (Lots 1 and 2) will be used for staging construction materials and excavation activity to accommodate the retrofit of an existing tunnel and installation of a new Stub tunnel.

The area of exaction will occur within Lot 1, specifically the southeast and southwest corners; approximately 1,275 cubic yards will be excavated. After retrofitting the Downtown Seattle Transit Tunnel this area will be filled and restored. Within the south half, upon Lot 2, this area will be used primarily as a staging area to accomplish one or more of the following: stockpile, load, and haul tunnel spoils; receive and stockpile construction materials and equipment; and collect, store, and discharge construction and ground water. A second temporary storage trailer (8' X 40') will be installed along the northern platted lot boundary line adjacent to the alley. Additionally, construction activities will include the installation of lighting fixtures that would be directed inward towards the staging area with shielding methods employed to protect neighboring properties from light and glare. The entire south half will be made secured with a six foot screened chain link fence around its perimeter. The site improvements are intended to be in place for only the duration of the construction of the light rail system, which is scheduled for up to two and one half years.

When construction is complete, construction materials, and security fencing would be removed from the site. The property would be returned back to its previous use.

Public Comment:

Date of Notice of Application:	October 16, 2003
Date End of Comment Period:	October 29, 2003 *
# Letters	6

Issues: Five of the six letters expressed concerns suggesting that the original Environmental Impact Statement did not adequately address environmental impacts related to access, utilities, noise/lighting, air quality, structural impacts upon their respective properties. The aforementioned impacts from the comments letters are addressed under State Environmental Policy Act (SEPA) section contained within this document. The impacts of construction related activity upon neighboring properties are disruptive and cause inconveniences however SEPA provides authority to mitigate adverse impacts to the greatest extent practical. One letter from a local private museum requested a copy of the Environmental Impact Statement along with all other relevant documents for the project proposal.

ANALYSIS - TEMPORARY USE

Pursuant to SMC 23.42.040, the Director may “grant, deny or condition applications for temporary use authorization for uses not otherwise permitted or not meeting development standards in a zone, which are in keeping with the spirit and purpose of the Land Use Code.” Furthermore, SMC 23.42.040(E) states that the Director may authorize a temporary use that supports the construction of a light rail transit facility provided that the requested use shall meet a specified set of criteria. Based on the information provided by the applicant and review of the proposal by the Land Use Planner, the following findings are made with respect to the criteria cited below:

1. *“The alignment, station locations, and maintenance base location of the light rail transit system has been approved by the City Council by ordinance or resolution;”*

The City Council has passed resolutions and an ordinance approving the alignment, station locations, and maintenance bases for Sound Transit's proposed light rail system. (For additional information, refer to Resolution 30128 and Ordinances 119904, 119974, 119975, and 120788.) The temporary use for a construction staging area would accommodate Sound Transit's proposal to construct the light rail tracks, retrofitting existing tunnels and other supporting systems along this portion of the Downtown Seattle Transit Tunnel. The proposed staging area is consistent with the resolution and ordinances passed by the City Council.

2. *"The temporary use or structure is authorized for only as long as is necessary to support construction of the light rail transit system;"*

Sound Transit anticipates that the staging area would be required for approximately two and one half years (30 months) during the construction period, which is currently estimated to be from September 2005 through December 2007.

3. *"The applicant must submit plans for the establishment of temporary construction uses and facilities to the Director for approval. When reviewing the application, the Director shall consider the duration and severity of impacts, and the number and special needs of people and businesses exposed, such as frail, elderly, and special needs residents. Following review of proposed plans and measures to mitigate impacts of light rail transit facility construction, and prior to the issuance of any permits granting permission to establish construction facilities and uses, the Director may impose reasonable conditions to reduce construction impacts on surrounding businesses and residences, including but not limited to the following:"*

- a. *"Noise impacts will be governed by the Noise Control Ordinance (SMC Chapter 25.08) and off-site impacts associated with grading and drainage will be governed by the Stormwater, Grading and Drainage Ordinance (SMC Chapters 22.800 through 22.808)."*

The construction and operation of the temporary staging area meets the minimum requirements of the Noise Control Ordinance and the Stormwater, Grading and Drainage Ordinance. Also, the applicant will be required to comply with all applicable Federal, State, and local laws regulating prevention, control, and abatement of water pollution and soil erosion. However, construction activities to establish and maintain the staging area, which includes the installation of construction trailers, security fence, lighting, excavation, and the proposed operation of the temporary construction staging area would generate short-term noise, and the applicant has submitted to DPD a Construction Noise Mitigation Plan, which is discussed in the SEPA analysis section below and is on file with the Master Use Permit application. Sound Transit in concert with Downtown Seattle Association and other agencies has developed Contractor Specifications that among other provisions will require their contractors to take specific measures to reduce potential noise related impacts associated with operation of the construction-staging area. Special Provision SP-3.02G requires the contractor to notify potentially affected property owners of construction activities that may cause noise at least 48 hours in advance of work.

- b. *"Light. To the extent feasible, light should be shielded and directed away from adjoining properties."*

The applicant has indicated that lighting will be directed inward to the site and will employ shielding technologies around the lamps to prevent unintentional glare upon neighboring properties.

- c. *“Best Management Practices. Construction activities on the site must comply with Director's Rule #16-2000, Best Management Practices for Construction Erosion and Sedimentation Control Plans.”*

Construction activities will also comply with the above mentioned Director's Rule per building permit approval. Stormwater will be directed to catch basins on the Pine Center Staging Area site. The contractor is required to provide an Erosion and Sediment Control Plan, and to provide an Erosion and Sediment Control Supervisor certified by Washington State Department of Transportation in the construction site to monitor and mitigate erosion and spill control. The Supervisor will be available 24 hours a day.

- d. *“Parking and Traffic. Measures addressing parking and traffic impacts associated with truck haul routes, truck loading and off-loading facilities, parking supply displaced by construction activity, and resulting from temporary construction-worker parking, including measures to reduce demand for parking by construction employees must be included.”*

Traffic impacts will consist of approximately 5 – 50 trucks per day that haul away materials resulting from the excavation of Pine Street for the stub tunnel, and hauling in the construction materials and new track; and the traffic generated by the anticipated 10 – 30 persons who will access the temporary construction staging site on a daily basis. Sound Transit has developed contractor specifications that among other provisions require their contractors to take specific measures to reduce potential impacts associated with temporary construction-worker parking. Special Provision (SP) 21.00 requires the contractor to procure parking for all of its employees and subcontractors in accordance with the prescribed Labor Compliance Manual and, if necessary, provide worker transportation to all work sites. SP-21.00 further prohibits employees of the contractor or its subcontractors from parking anywhere other than the contractor-furnished parking areas and may not impair the existing community parking and traffic conditions.

- e. *“Local Businesses. The applicant must address measures to limit disruption of local business, including pedestrian and/or auto access to business, loss of customer activity, or other impacts due to protracted construction activity.”*

The establishment and operation of the temporary staging area is anticipated to cause minimal impacts on existing businesses. Measurable impacts on the businesses will result from the temporary reduction of traffic lanes on Pine Street due to the excavation to construct the stub tunnel. During the construction period Pine Street will be reduced to two westbound vehicle traffic lanes, and protected decked sidewalks. Additionally, the alley separating the former Camlin Hotel from the development site will be used to haul construction related materials. In response the contractor will prepare a Community Outreach Plan, as detailed in Special Provision SP-16, to proactively respond to neighboring businesses. The outreach plan will include designating community outreach liaisons to attend public meetings and conduct one-on-one visits in the neighborhood to mitigate adverse impacts.

- f. *“Security. The applicant must address site security and undertake measures to ensure the site is secure at all times and to limit trespassing or the attraction of illegal activity to the surrounding neighborhood.”*

The southern half of the site will be made secured with the installation of a six foot screened chain link fence with locking gates adjacent to 9th Avenue and the alley. The gates will be locked when the site is not in operation. Security personnel will monitor the development site 24 hours day. Screened security lighting will illuminate obscure areas at the site.

- g. *“Site/Design. The construction site should be designed in a manner that minimizes pedestrian/vehicle conflicts and does not unnecessarily impede pedestrian mobility around the site and through adjoining neighborhoods. Measures should also be undertaken to ensure appropriate screening of materials storage and other construction activities from surrounding streets and properties.”*

The northern half (platted Lots 3 and 4) of the Pine Center Staging Area, adjacent to the Trendwest Resorts Inc. (the former Camlin Hotel) building, will be used for staff and visitors access to the construction offices in the existing cabana building and the temporary construction trailer. Vehicle access will be from the existing driveways on 8th Avenue to the west and the paved alley to the east. Heavy trucks will be confined to the southern half of the site to support construction activities that include; excavation, delivery and pick up of equipment, materials and supplies. This portion of the site will be enclosed by a 6-foot high chain link fence with slats for screening. Access to the southern half of the site will be from 8th Avenue on the west, and on the east by vehicles traveling north from Pine Street and the south end of the alley. Trucks entering the south half of the site from Pine Street and the alley will exit the site on 8th Avenue. Heavy trucks will be prohibited from using the north half of the development site, that portion of the alley adjacent to the Camlin Hotel building. There will be security gates at the truck entrances to the southern half of the site along the alley and along 8th Avenue.

The volume of heavy truck trips associated with the temporary construction staging area will be approximately 5 – 50 per day. Pedestrian access will be maintained on both sides of Pine Street. Temporary closures of the sidewalk will be on a case-by-case basis. During temporary closure, the sidewalk on the opposite side of the street will be open with no obstructions. During the holiday season, and upon completion of the decking of Pine Street, the entire street will be reopened to both pedestrian and vehicular traffic.

- h. *“Public Information. Actions should be taken that will inform surrounding residents and businesses of construction activities taking place and their anticipated duration, including a twenty-four (24) hour phone number to seek additional information or to report problems.”*

Sound Transit has indicated that the project would include the implementation of a multi-faceted community outreach program designed to provide information concerning the scope of work and a response to adverse impacts on the surrounding community. Outreach efforts could include construction 24 hour hotline, public meetings, construction advisories, newsletters, and other community programs. In addition, as described above, the project contractor would be required to coordinate work with adjacent property owners and participate and assist in Sound Transit's community outreach efforts. As part of this effort, the contractor must coordinate with Sound

Transit on community issues, reporting emergencies, and communicating timely construction information for public release. The contractor shall provide a lead contact person who will be “on-call” 24-hours a day to resolve problems in a timely manner. Finally, information signs would be posted on the site and a 24-hour phone number provided.

- i. *“Temporary structures must be constructed to withstand inclement weather conditions.”*

Two temporary construction trailers will be erected on the site. They will meet all building code design and structural standards for temporary structures.

- j. *“Vibration. The applicant must consider measures to mitigate vibration impacts on surrounding residents and businesses.”*

There is no vibration impacts anticipated due to the operation of the temporary construction staging area. Potential vibration impacts may be caused by the work associated with the construction of the stub tunnel which will be addressed during the tunnel retrofitting permit phase issued by Seattle Department of Transportation.

4. *“Site Restoration.”*

- a. *“The applicant must also agree, in writing, to submit a restoration plan to the Director for restoring areas occupied by temporary construction activities, uses or structures.”*
- b. *“The restoration plan must be submitted and approved prior to the applicant vacating the construction site and it must include proposals for cleaning, clearing, removing construction debris, grading, remediation of landscaping, and restoration of grade and drainage.”*
- c. *“Site restoration must generally be accomplished within one hundred eighty (180) days of cessation of use of the site for construction uses and activities, unless otherwise agreed to between the applicant and the Director.”*
- d. *“The Director will approve plans for site restoration in accordance with mitigation plans authorized under this section.”*

The applicant will be required to remove the temporary jersey fence within 180 days of cessation of the site for temporary staging area and will submit restoration plan prior to issuance of associated construction permits.

- 5. *“A master use permit for a temporary structure or use that supports the construction of a light rail transit facility shall not be issued until the Director has received satisfactory evidence that the applicant has obtained sufficient funding (which might include a Full Funding Agreement with a federal agency) to complete the work described in the master use permit application.”*

The City’s Sound Transit Program Manager with the Seattle Department of Transportation (SDOT) reviewed the Financial Capacity Statement submitted by Sound Transit for the proposal. On September 18, 2003, the Program Manager confirmed that the Financial Capacity Statement meets applicable code criteria.

DECISION – TEMPORARY USE

The temporary use application request is **GRANTED** subject to the conditions noted at the end of this report.

ANALYSIS - SEPA

Central Puget Sound Regional Transit Authority (Sound Transit) as lead agency has disclosed the environmental impacts of the proposed light rail project (including the Downtown Seattle Transit Tunnel) in a Final Environmental Impact Statement (FEIS) issued in November of 1999. An addendum to the Final EIS for the Initial Segment was issued on November 16, 2001, and a NEPA Environmental Assessment was issued on February 8, 2002, both of which evaluated a reduced rail alignment (from 21 miles to an initial 14 mile segment). The Director hereby incorporates by reference the FEIS and the Addendum to the FEIS. The addendum concludes that there has been no substantial change in impacts from those identified in the foregoing EIS materials. The information in the EIS, supplemental information provided by the applicant (plans, further project descriptions), and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) establishes the relationship among codes, policies, and environmental review. Specific policies for specific elements of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: *"where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation"* (subject to some limitations).

Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is cited below.

Short-term Impacts

The following temporary or construction-related impacts are expected:

- Loading and unloading construction related materials;
- decreased air quality due to grading activities and hydrocarbon emissions from construction vehicles and equipment;
- potential soil erosion and potential disturbance to subsurface soils during grading, excavation, and general site work;
- increased traffic and demand for parking from construction equipment and personnel;
- conflicts with normal pedestrian and vehicular movement adjacent to the site; and
- increased noise.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically, these codes and ordinances are: Stormwater, Grading and Drainage Control Code (earth deposits from tunneling activity and soil erosion); Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of the pedestrian right-of-way); the Building Code (construction measures in general); and the Noise Ordinance (construction noise). Compliance with these applicable codes and ordinances will reduce or eliminate most of the short-term impacts to the environment. Other impacts may not be adequately mitigated by existing ordinances, as discussed below.

Air Quality

There is no demolition associated with the installation or use of the Convention Place Station construction staging area. However, it is anticipated that during the retrofit of the existing tunnel measures will need to be in place to mitigate potential toxic and hazardous materials. Therefore, the contractor will prepare a Contractor-Generated Dangerous Waste Management Plan for the management of contaminated materials uncovered during retrofit of the Downtown Seattle Transit Tunnel during the construction permit phase. (As required in Link Light Rail Project Standard Specifications Section 01566-3.06)

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. PSCAA, the Department of Labor and Industry, and the Environmental Protection Agency (EPA) regulations provide for the safe removal and disposal of dirt and debris that may be encountered during excavation and the loading and unloading of construction materials and soils at the staging area. Compliance with PSCAA regulations would mitigate any potential adverse short term impacts to air associated with activity related to the staging area and no further mitigation is required.

Soil Contamination

There are no indications of contaminated soils at the site. Safeguard measures will be enacted with the preparation of a Contractor-Generated Dangerous Waste Management Plan for management of contamination materials uncovered during the operation of the Convention Place Station staging area. The Contractor will prepare the document to comply with all federal, state, and local regulations, and will submit a Hazardous and Contamination Substance Health and Safety Plan. (As required in Link Light Rail Project Standard Specifications Section 01566-3.06, and Section 01575-1.01)

Historic and Cultural Preservation

Construction staging area related activities which include increased noise, dirt and truck traffic could impact Paramount Theater and the former Camlin Hotel (Trendwest Resorts, Inc.) which have been designated historic landmark buildings within the City of Seattle. In accordance with the *Department of Planning and Development – Department of Neighborhoods Interdepartmental Agreement on Review of Historic Building during SEPA Review*; the planner referred approval to the Historic Preservation Officer. The Historic Preservation Officer evaluates criteria for development occurring adjacent to or across the street from landmark structures," in response to the SEPA Historic Preservation Policy (SMC 25.05.675.H.2.d). The review of the impacts associated with the proposed project would not require further design mitigation, since no permanent structures are planned for the project.

Traffic and Parking

Construction traffic would only minimally increase congestion in the area, and the area has adequate street access to accommodate any increased traffic. Traffic impacts will consist of approximately 5 – 50 trucks per day that haul away materials resulting from the excavation of Pine Street for the stub tunnel, and hauling in the construction materials and new track; and, the traffic generated by the anticipated 10 – 30 persons who will access the temporary construction staging site on a daily basis. Sound Transit has developed contractor specifications that among other provisions require their contractors to take specific measures to reduce potential impacts including

material hauling activity associated with the temporary construction staging activity. Further, Temporary Traffic Control measures outlined in Contract Specifications Section 01550 establishes requirements to facilitate the flow of traffic during the operation of the temporary construction staging area.

Special Provision (SP) -23 requires the contractor to procure parking for all of its employees and subcontractors in accordance with the prescribed Labor Compliance Manual and, if necessary, provide worker transportation to all work sites. SP-23 further prohibits employees of the contractor or its subcontractors from parking anywhere other than the contractor designated parking lots. Due to limited amount of parking available, employees of the contractors will be prohibited from parking anywhere in the vicinity of the site other than in contractor-furnished parking areas as contained within SP 23 – Construction Parking and Worker Transportation.

Pedestrian circulation will essentially remain unchanged during the installation of the temporary construction staging area. During the construction of the Stub Tunnel, pedestrian traffic will be rerouted to one side of the street of Pine Street or the other to allow excavation and redecking of the street. After completion of the light rail system, the sidewalks and streets will be restored to their approximate configuration.

Therefore, no further mitigation for traffic and parking related impacts during construction is warranted pursuant to SEPA policies.

Noise

Activity surrounding the operation of the construction staging area will meet the requirements of Seattle's Noise Control Ordinance (SMC Chapter 25.08). The site will be open for operation between the hours of 7 a.m. and 10 p.m. weekdays, and 9 a.m. and 10 p.m. on weekends. All but one of the adjacent properties is located across the rights-of-way with a minimum dimension of 66 feet from the site. The Trendwest Resorts, Inc. site, located adjacent to the site's northern half, approximately 16 feet away, is expected to be minimally impacted by the operation of the construction staging area. During the operation of the temporary construction staging area, the anticipated noise levels should not exceed the maximum permissible sound levels. The applicant proposes to implement a Noise Control Plan. (As required in Link Light Rail Project Standard Specifications Section 01564-1.05) This plan requires that Sound Transit and its contractor comply with the City's noise control ordinance. In addition, the plan requires Sound Transit to work with its contractor, in advance of construction, to plan the construction work in a manner that minimizes potential noise impacts on the neighbors. Sound Transit has a community outreach program to keep the adjacent communities informed throughout the construction period. The outreach would include updates at community organization meetings, written construction updates, regular door-to-door visits with residents, and other similar efforts. A 24-hour construction hotline would be established, and a record kept of all noise complaints. When a complaint is received, Sound Transit would use every reasonable effort to resolve it to the satisfaction of the complainant. The project shall be conditioned to require that Sound Transit submit to Department of Planning and Development (DPD) upon request a list of the noise complaints received during construction of the temporary staging area and Sound Transit's response to each complaint. DPD will review the list to verify that Sound Transit is complying with the noise mitigation plan and that reasonable measures are taken to mitigate demolition and construction noise.

Long-term Impacts

No long-term or use-related impacts are anticipated since the proposal is a temporary use. The site would be left clean and restored to a "natural" state upon completion of construction activities suitable for future development.

CONCLUSION -SEPA

Applicable conditions of approval together with codes and development regulations applicable to this proposed project provide sufficient mitigation for most impacts identified in the adopted environmental documents. However, additional conditioning to mitigate short-term noise impacts is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

The DEIS and FEIS, Addendum, and Environmental Assessment together with associated appendices and studies; the master use permit plans submitted on the project; and responses to requests for information all comprise DPD's public record. Conditions imposed pursuant to SEPA assume installation of mitigating devices, structures and measures noted in the above analysis. Pursuant to SMC 25.05.600.D.1, DPD relies on Sound Transit's FEIS in conditioning project approval.

DECISION - SEPA

Environmental impacts for the proposal were identified and analyzed in the Final Environmental Impact Statement, Addendum, and Environmental Assessment issued by Sound Transit. DPD has the authority to mitigate impact pursuant to the city's SEPA practices. Therefore, the proposal is APPROVED subject to the conditions/mitigating measures noted at the conclusion of this report.

CONDITIONS – TEMPORARY USE

None.

CONDITIONS - SEPA

The applicant (Sound Transit) shall:

Prior to Issuance of Construction Permit

During Construction

1. The applicant shall comply with the Noise Control Plan (As required in Link Light Rail Project Standard Specifications Section 01564-1.05) submitted to DPD, a copy of which is in the Master Use Permit file. The applicant shall submit to DPD upon request a list of the noise complaints received during construction of the temporary staging area and Sound Transit's response to each complaint. The applicant shall mail the list to the attention of the undersigned DPD planner. DPD will review the list to verify that Sound Transit is complying with the noise mitigation plan and that reasonable measures are taken to mitigate demolition and construction noise.

For the Life of the Project

2. Comply with all conditions and mitigating measures listed herein and described in the adopted FEIS for the proposal to the satisfaction of the City. For conditions which specify approval by a particular agency of the City or a State or Federal agency, that approval will constitute satisfactory compliance. Unless otherwise noted, DPD shall determine the issue of satisfactory compliance with conditions imposed under City authority.

Signature: (signature on file) Date: May 3, 2004
Bradley Wilburn, Land Use Planner
Department of Planning and Development
Land Use Services

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